

REMARKS

Claims 4-9 remain in this application. Claims 1-3 were previously canceled. Reconsideration of the application is requested.

Independent claim 4 is rejected under 35 U.S.C. § 102(a), along with dependent claims 5, 8, and 9, as anticipated by international publication WO 03/051666 A1 to Huo et al., which is based on international PCT application PCT/EP02/13972. U.S. Patent application publication 2005/0082885 A1 is also based on PCT application PCT/EP02/13972, and may be utilized as an English language equivalent of the Huo et al. ('666) publication relied on. Reconsideration of this rejection is requested.

Claim 4 is amended above to reflect features described, for example, in paragraph 0019 of the substitute specification and illustrated by way of example in Figures 1 and 3 of this application. It is respectfully submitted that the features defined by claim 4 distinguish the present invention from the Huo et al. system. While the comments provided by the Examiner on pages 2-3 of the Office Action are noted, the ducts 18 and the annular duct 19 surrounding the ducts 18 do not form sets of longitudinally and transversely extending grooves in a cushion core surface that open toward a covering layer such that each of the longitudinally extending grooves intersects a plurality of the transversely extending grooves, and each of the transversely extending grooves intersects a plurality of the longitudinally extending grooves as claim 4 particularly defines. Instead, as illustrated in Figures 2 and 3 of the Huo et al. publication, the duct 19 extends around ducts 18, without intersecting those ducts 18. It is

respectfully submitted that the anticipation rejection of claims 4, 5, 8, and 9 is not presently applicable for reasons discussed.

On pages 3-4 of the Office Action, U.S. Patent 5,597,200 to Gregory et al. is relied on in combination with the Huo et al. publication to reject claims 6-7, which depend on claim 4, under 35 U.S.C. § 103(a). The Gregory et al. patent disclosure, however, fails to suggest modifying the Huo et al. system in such a way that it would meet the limitations in claim 4 discussed. The channels and sub-channels illustrated in Figures 1-9 of the Gregory et al. patent are not configured so that each of a plurality of longitudinally extending grooves intersects a plurality of transversely extending grooves, and each of that plurality of transversely extending grooves intersects a plurality of the longitudinally extending grooves as claim 4 specifies. The channels 270 and 272 illustrated in Figures 10a and 10b of the Gregory et al. patent are *separated* from one another by the common manifold areas 274. In any event, the Gregory et al. channels 270 do not form grooves in a surface of a cushion core that open toward upholstery 242, and the Gregory et al. patent disclosure fails to suggest modifying the Huo et al. system to incorporate such a feature.

It is respectfully submitted that claim 4 above is patentable over the Huo et al. and Gregory et al. disclosures for reasons discussed.

Independent claim 4 is also rejected under 35 U.S.C. § 103(a), along with claims 5-9, as unpatentable over U.S. Patent 4,866,800 to Bedford in view of U.S. Patent 6,179,706 to Yoshinori et al. Reconsideration is requested.

As the Examiner acknowledges on page 4 of the Office Action, the Bedford support pad lacks grooves and a covering layer. The Yoshinori et al. patent

discloses various seat air conditioner configurations having distribution passages 12, 112, 212, and 312, and communication passages 13, 113, 213, and 313, but the Yoshinori et al. passages do not form sets of longitudinally and transversely extending grooves in a cushion core surface that both open toward a covering layer and are configured so that each of the longitudinally extending grooves intersects a plurality of the transversely extending grooves, and each of the transversely extending grooves intersects a plurality of the longitudinally extending grooves as claim 4 particularly defines. The Yoshinori et al. patent disclosure, therefore, cannot suggest modifying the Bedford support pad to include such features, and it is respectfully submitted that claim 4 above is also patentable over the Bedford and Yoshinori et al. disclosures.

Independent claim 4 is additionally rejected under 35 U.S.C. § 103(a), along with claims 5-9, as unpatentable over U.S. Patent 6,196,627 to Faust et al. in view of the Yoshinori et al. patent Reconsideration is requested.

The Examiner acknowledges on page 6 of the Office Action, the Faust et al. vehicle seat lacks grooves as claimed. As discussed above, moreover, the Yoshinori et al. passages do not form sets of longitudinally and transversely extending grooves in a cushion core surface that are configured so that each longitudinally extending groove intersects a plurality of the transversely extending grooves, and each transversely extending groove intersects a plurality of the longitudinally extending grooves as claim 4 particularly defines. The Yoshinori et al. patent disclosure, therefore, cannot suggest modifying the Faust seat to include such features, and it is respectfully submitted that claim 4 above is additionally patentable over the Faust et al. and Yoshinori et al. disclosures.

For reasons discussed above, it is respectfully submitted that claim 4 as it appears above is patentable. All other claims in this application are dependent claims and should be patentable as well.

This application is now considered to be in allowable condition. If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.56028US).

Respectfully submitted,

Date: May 28, 2009

/Richard R. Diefendorf/
Richard R. Diefendorf
Registration No. 32,390

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
RRD:rd